

FILED

for Roanoke  
MAR 27 2009

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

EDWARD FREEMAN FERGUSON,  
Petitioner,

Civil Action No. 7:09-cv-00092

FINAL ORDER

v.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

RADFORD CITY CIRCUIT COURT,  
Respondent.

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the above referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, is  
**DISMISSED without prejudice** for failure to exhaust state court remedies and the action is  
**STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this final order and the accompanying  
memorandum opinion to the petitioner.

ENTER: This 27<sup>th</sup> day of March, 2009.

*[Signature of Jackson L. Kiser]*  
Senior United States District Judge